# EXHIBIT 7

# GLOWACKI v. HOWELL PUBLIC SCHOOL DISTRICT, ET AL AARON MORAN

September 5, 2012

Prepared for you by



Bingham Farms/Southfield • Grand Rapids
Ann Arbor • Detroit • Flint • Jackson • Lansing • Mt. Clemens • Saginaw

1 or a student came to the office and I was there 2 to deal with it, then I would deal with it. 3 But it wasn't the main focus. 4 Q. Was there ever a situation where 4 you would have the final say after speaking 5 with the assistant principals in a disciplinary 7 matter with a student? 8 A. Sometimes things would get 8 appealed to me. Then that would be my final 9 decision, too, in that process. 10 Q. And did that ever happen with 12 teachers as well? 13 A. Yes. Well. I'm trying to remember 14 if there was discipline. With evaluations, 15 that was part of the grievance process. The 16 building principal was part of that grievance 17 process, so that could be gard the prevance process. The 18 pulled principal was part of that grievance 19 process, so that could be discipline or others. 19 Q. Can you describe for me what you 20 evaluations, just generally. 21 A. Okay. 22 Q. Can you describe for me what you 23 mean by evaluation? is it a one-time 24 evaluation after something occurs or is it, 25 like, a yearly or a monthly evaluation? 25 like, a yearly or a monthly evaluation? 26 Q. Wath exactly is involved in an 27 evaluation. 28 Q. Oand decision of the teacher's classroom for a minimum amount of time, dialogue, possible dialogue in regards to the observations of the exacher's classroom for a minimum amount of time, dialogue, possible dialogue in regards to the cohervations of the classroom. 29 Q. And offer how long would you stay in the teacher's classroom for a minimum amount of time, dialogue, possible dialogue in regards to the cohervations of the classroom. 30 Q. What would you look for? 31 A. Yes. 32 Q. And what would you do to watch 33 A. Yes. 34 A. According to contracts, you have 35 to do evaluations, just generally. 36 A. According to contracts, you have 37 to do evaluation after something occurs or is it, 38 A. Yes. 39 Q. And first on the teacher or increase to the decisor of the classroom. 30 Q. Wath exactly is involved in an evaluation. 31 Q. An observation of the classroom. 32 Q. Ware there certain		Page 9		Page 11
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21 A. Okay. 22 Q. Can you describe for me what you 23 mean by evaluation? Is it a one-time 24 evaluation after something occurs or is it, 25 like, a yearly or a monthly evaluation?  Page 10  Page 10  A. There previously had been trainings on various things.  Page 12  A. According to contracts, you have to do evaluations, formal observations of teachers. So that would be part of the evaluation.  Q. What kind of trainings?  A. Making sure people – staff knew how to use the new grade book application, the electronic grade book application, done various trainings.  Q. Was there ever trainings about antibullying?  A. Yes.  Q. Was there ever trainings about antibullying?  A. Yes.  Q. And if – to the best of your recollection, when did the training occur?  A. It was a couple years ago, right around this time or maybe – yeah, right around thi	1			
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	Page 13	**************	Page 15
1	Q. And what do you mean by how to	1	that in my ground rules. If we nod or say
2	address an issue of bullying, if you can give	2	uh-huh or huh-uh, it's not picked up by the
- 3	me an example?	3	court reporter. You actually have to say yes
4	A. If you see something, address it.	4	or no, which is
5	It doesn't have to mean that you are going to	5	A. Not a problem.
6	write up a discipline referral. Maybe it's two	6	Q a habit that I have as well.
7	kids you are not sure what you know, what	7	MR. HENLEY: It also drives the court
8	it is, but address it and find out what it is.	8	reporters to distraction.
9	You know, hey, that's not how we act here at	9	BY MS. MERSINO:
10	Howell High School, so they know that that	10	Q. I'm sorry, I didn't mean to put
11	behavior is not tolerated and that it's not	11	you on the spot there.
12	going to be acceptable behavior.	12	A. No, I'm fine.
13	Q. Who was present at the training,	13	Q. So this training occurred in
14	was it geared	14	August of 2010, and then a couple of months go
15	A. The high school staff.	15	by in the school year. And then it's
16	Q. So teachers and administration of	16	October 20th of 2010. Do you recall this date?
17	Howell High School?	17	A. Yes.
18	A. Yes.	18	Q. And what is your recollection of
19	Q. And who were called upon to	19	this date in regards to Mr. McDowell?
20	address the bullying, the teachers and	20	A. Just that there was a phone call
21	administrators?	21	to me by the superintendent that he wanted to
22	A. Well, that's what it was that's	22	see Jen Goodwin over at his office, who is the
23	who the audience was, so that's who they	23	assistant principal at the high school, about
24	were that was one part of it.	24	some issue.
25	Q. So a teacher is supposed to	25	Q. When did the phone call from the
	Page 14		Page 16
1	reprimand a student if they see behavior that	1	superintendent occur?
2	they consider to be antibullying [sic]?	2	A. It was after school, I'm guessing
3	A. That they consider to be bullying.	3	around 4:00 o'clock.
4	Q. Or, I'm sorry, bullying, you are	4	Q. Was this the first time that you
5	correct.	5	heard anything about this?
6	A. Yeah.	6	A. I don't recall.
7	Q. And that was what the training was	7	Q. Do you remember if anyone came to
8	teaching?	8	you prior to 4 p.m. that day to talk about
9	A. Going about how to address it.	9	Mr. McDowell and what happened in his
10	Q. And address it directly?	10	classroom?
11	A. Directly.	11	A. I don't recall.
12	Q. And immediately upon seeing the	12	Q. So what happens when you received
13	bullying activity?	13	this phone call from the superintendent?
14	A. (Nods head up and down.)	14	A. I contact Ms. Goodwin and ask her
15	Q. I'm sorry, it has to be a verbal	15 16	to come over to the superintendent's office.
16	answer. A. I guess I'm not sure what you	17	<ul><li>Q. Do you go with her?</li><li>A. No, I wasn't with her.</li></ul>
18	A. I guess I'm not sure what you Q. Oh, I saw you nodding. If you	18	Q. Did you speak with Ms. Goodwin
19	could answer the question with a yes or a no?	19	about why you received the phone call?
20	A. Could you repeat the question for	20	A. I believe I told her about
21	me then?	21	something that happened in Mr. McDowell's
22	Q. To address the bullying	22	class.
23	immediately upon seeing it occur?	23	Q. And did she say anything to you?
24	A. Correct.	24	A. I don't recall.
25	Q. I'm sorry, I should have covered	25	Q. Were you curious why the
1			

	Page 45	***************************************	Page 47
1	you violated your student's First Amendment	1	made me aware of what the settlement was, that
2	right of speech.	2	this was going to be placed in the file, this
3	Q. And why was that asked of	3	is what's going to replace it. I said okay.
4	Mr. McDowell?	4	Q. Do you agree and accept as your
5	A. Because somebody thought it was	5	own the statements in Exhibit 18?
6	important to ask.	6	A. Yeah.
7	Q. Did you think that it was	7	Q. So when it says you are receiving
8	important to ask?	8	a written reprimand after an investigation into
9	A. I don't know. I don't recall.	9	an incident that occurred in your classroom
10	Q. Now, you said that you didn't	10	substantiated that you displayed a serious lack
11	think that Mr. McDowell handled the situation	11	of professionalism when you slammed your door,
12	well. What do you mean by that?	12	raised your voice, and attempted to discipline
13	MS. BARTOS: Objection. I think the	13	students for their beliefs.
14	word was appropriate.	14	Is that a correct statement that
15	THE WITNESS: I just felt that it	15	you adopt?
16	didn't wasn't handled appropriately.	16	A. Uh-huh.
17	BY MS. MERSINO:	17	Q. I'm sorry, is that a yes?
18	Q. In what manner wasn't it handled	18	A. Yes, I'm sorry.
19	appropriately, in the way that the student,	19	Q. And would you agree then with the
20	Daniel Glowacki, was thrown out of class?	20	second paragraph as well, further, you
21	A. Well, the manner it was handled	21	
22		22	disregarded a student's constitutionally
23	from the beginning to the end. Asking the		protected rights to self expression to wear a
1	student I think in Mr. McDowell's statement,	23	belt buckle which you found personally
24	he asked the student his opinion. He asked it	24	objectionable, notwithstanding the fact that
25	again. He didn't like the answer.	25	there was no disruption to the class as a
	Page 46	September 19 Company	Page 48
1	Well, that doesn't make it okay to	1	result of the student's apparel?
2	kick him out of class because he doesn't agree	2	MR. HENLEY: Objection to the extent
3	with you. I don't know about the	3	it calls for a legal conclusion.
4	Constitution you know, his Constitutional	4	BY MS. MERSINO:
5	law rights, things like that.	5	Q. Would you adopt that statement as
6	Q. So by that statement, do you	6	your own? Do you agree with it?
7	mean you are not an attorney, correct?	7	A. Yes.
8	A. Correct.	8	Q. And the next sentence, in
9	Q. But in your experience and what	9	addition, you loudly and angrily dismissed
10	you learned in your two master's degrees and	10	another student from the class for expressing
11	what you know about administrating in a high	11	an opinion which you deemed intolerant and
12	school, that was inappropriate behavior to	12	unacceptable in action which may have violated
13	punish a student for stating his opinion in	13	the student's right to free speech?
14	class?	14	MR. HENLEY: Objection to the extent
15	A. It was inappropriate to do that.	15	it calls for a legal conclusion.
16	Q. Now, Exhibit 27, this is something	16	THE WITNESS: Yes.
17	that you authored; is that correct? It says to	17	BY MS. MERSINO:
18	Johnson McDowell from Aaron Moran?	18	Q. That's a statement that you would
19	A. No, this was something that I was	19	adopt as your own?
20	aware of this could be placed in his file.	20	A. Uh-huh.
21	Q. You didn't, yourself, write this?	21	Q. Going back to the 20th, do you
22	A. No.	22	remember very early in that morning receiving
23	Q. Do you know who would have written	23	an e-mail from the superintendent, Ron Wilson,
24	it?	24	in regard to an antibullying or Gay-Straight
	A. The HR at the time authored it and	25	Alliance day?

	Page 49		Page 51
1	A. Not a Gay-Straight Alliance day.	1	flyer. I don't know.
2	(Thereupon, Plaintiffs' Exhibit	2	Q. And when you say GSA, what is GSA?
3	No. 25, one-page series of e-mails, was marked for	3	A. Gay-Straight Alliance.
4	purposes of identification.)	4	Q. And is that a club that's a
5	BY MS. MERSINO:	5	student club at Howell High School?
6	Q. I'll hand you what's been marked	6	A. Correct.
7	as Plaintiff's Exhibit 25, if you could review	7	Q. And how does it work? Is there,
8	the e-mail, the top e-mail on that page.	8	like, a person who is a leader in the club who
9	A. It's not a Gay-Straight Alliance	9	will come to the office with a flyer for
10	day.	10	approval or
11	Q. Is that an e-mail that you wrote?	11	A. Uh-huh, correct.
12	A. Yes.	12	Q. And do you remember was there,
13	Q. And who did you send the e-mail	13	like, an officer of the GSA at Howell who came
14	to?	14	to the office?
1.5	A. Superintendent Ron Wilson.	15	A. The group had dropped off flyers
16	Q. And had the superintendent	16	to know if it would be okay to put up.
17	inquired if there was some sort of special day	17	Q. And what exactly was the flyer?
18	going on at the high school on October 20th of	18	A. Stop homophobia maybe, or I I
19	2010?	19	don't know. I don't recall.
20	A. No, no special day.	20	Q. Did the flyer specify that there
21	Q. Did he inquire if there were a	21	was a special day on the 20th of October of
22	special day going on?	22	2010?
23	A. Yeah. He asked I have had	23	A. I don't recall.
24	several or well, I don't know how this is	24	Q. Was there any sort of discussion
25	printed off. It doesn't appear out of context.	25	about people wearing purple on that day?
	Page 50		Page 52
1	Q. I'm just specifically asking about	1	A. I think that might have been on
2	your e-mail.	2	the flyer, but I'm not a hundred percent
3	A. Today is an antibullying day.	3	positive.
4	Wear purple using this to stop homophobia. If	4	Q. To wear purple. And do you know
5	I hear of anything, I'll let you know.	5	if the day had, like, a special name? Was it
6	Q. Okay. So which day was the	6	antibullying day?
7	antibullying day?	7	A. Not off the top of my head, I
8	A. There was a national antibullying	8	don't recall.
9	day on the 20th.	9	Q. Who is involved in the GSA? Is
10	Q. The 20th of October?	10	there a teacher involved as well or just
11	A. October.	11	students?
12	Q. And who was involved in the	12	A. To have a student club you have to
13	antibullying day?	13	have an adult mentor, you know, an adult
14	A. A lot of people. I don't know. I	14	advisor. So we had a staff advisor.
1.5	mean, it was a national piece.	15	Q. Who was the staff advisor for the
16	Q. A nationally sponsored	16	GSA, if you recall?
17	A. Yeah. I heard on the radio,	17	A. I believe it was Laura Stark.
18	again, different places were doing it. One	18	Q. And what role would the staff
19	place got their colors wrong on it on the	19	advisor have?
20	radio. But it was supposed to be a national	20	A. She would be at meetings basically
21	I mean, a national antibullying day.	21	as a advisors are there just to supervise
22	Q. Did you hear about it then on the	22	students.
23	radio? Did you hear a buzz about it at school?	23	Q. Did you notice on the 20th of
24	A. I mean, I had seen a flyer, and I	24	October people wearing purple T-shirts?
25	approved it, to not be homophobic for the GSA	25	A. No.

	Page 53		Page 55
1	Q. Did you hear at any time before	1	Q. Was there, like, a stack of flyers
2	this or after that there were T-shirts made	2	that were approved?
3	that were purple that said Tyler's Army on	3	A. The flyers were approved. I don't
4	them?	4	know how many. I don't know how many there
5	A. Yes, afterwards.	5	were.
6	Q. After. And do you know who was	6	Q. And once a flyer is approved to
7	involved in the making of those T-shirts and	7	advertise for a student event, then you said it
8	A. I believe it was Wendy Hiller	8	can be placed on different walls throughout the
i	was the person. It was a teacher.	9	school?
9		10	A. Correct.
10	Q. And do you know, is she still		
11	employed with Howell?	11	Q. And the flyer for the GSA with the
12	A. I believe so.	12	antibullying day was placed throughout the
13	Q. And in addition to making	13	school?
14	T-shirts, did you know of individuals who wore	14	A. I believe so.
15	the T-shirts on the 20th of October of 2010?	15	Q. And it's approved with is it a
16	A. Afterwards.	16	stamp or
17	Q. And who did it come to your	17	A. Correct.
18	attention was wearing the T-shirts?	18	Q. Was there any activities that you
19	A. The only one I know is	19	knew about scheduled for this day?
20	Mr. McDowell, but I believe there were others.	20	A. None that I'm aware of. Like
21	Q. Were there students who were	21	within the school?
22	wearing the T-shirts as well?	22	Q. With the GSA.
23	A. I do not know.	23	A. No.
24	Q. And how many students would you	24	Q. So it was advertising for an
25	say are in the GSA, approximately?	25	antibullying day, wear purple?
	Page 54		Page 56
1	A. How many were there in there at	1	A. Yeah. It may have had I don't
2	the time?	2	know, but it may have had their next meeting
3	Q. Yeah.	3	date on it, too. I don't know. I don't
4	A. Twenty maybe, fifteen.	4	recall.
5	Q. And would the GSA have a specific	- 5	Q. Did you receive any other contacts
6	bulletin board dedicated to them or is there,	6	from anyone prior to this happening in
7	like, a board for just student group	7	Mr. McDowell's class involving the antibullying
8	announcements?	8	day?
9	A. No, they don't have a specific	9	A. Not that I recall.
10	board. What are you asking?	10	Q. Does the school district have a
11	Q. Where would the flyer go after it	11	certain policy regarding controversial issues?
12	was approved?	12	A. Yes.
13	A. They would put it up in areas of	13	Q. And do you remember, was there
14	the school where it would be noticed on walls	14	ever any discussion about whether or not there
15	that were not, you know that are not not	15	should be a notice sent home to parents
16	putting on top of something, but they put it on	16	regarding the purple T-shirt day, the
17	walls throughout the school, areas throughout	17	antibullying day?
18	the school.	18	A. No.
19	Q. Do you remember how many flyers	19	Q. Did Mr. McDowell ever ask for
20	were approved?	20	permission to discuss teen suicide and
21	A. No.	21	specifically issues with homosexual teenagers
22	Q. More than one?	22	
23	A. More than one.	23	committing suicide and discussing this in class prior to October 20th?
24	Q. Less than twenty?	24	A. Not that I'm aware of.
25	A. I don't know.	25	
45	ra. I don t know.	25	Q. Would you consider such a topic to

1	Page 57	***************************************	Page 59
1	be a controversial issue?	1	Q. We had gone through now to the
2	MR. HENLEY: As just in general or	2	25th of October.
3	under the policy's terms?	3	A. Correct.
4	MS. MERSINO: Both.	4	Q. And on that day, it was decided
5	THE WITNESS: It depends what you	5	that Mr. McDowell [sic] was going to be
6	are what you are discussing. It depends what	6	reprimanded for how he behaved in the classroom
7	class you are in. If you are talking a health	7	on the 20th of October.
8	class, suicide and things like that, I don't think	8	A. With Daniel Glowacki?
9	that would be controversial. I think it would be	9	Q. Yes.
10	part of your curriculum.	10	A. Okay. I thought you said
11	BY MS. MERSINO:	11	McDowell.
12	Q. In an economics class, do you	12	Q. Oh, I'm sorry if I did.
13	believe that such a topic would be	13	MR. HENLEY: And I just have an
14	controversial?	14	objection as to mischaracterizing former
15	A. Yes.	15	testimony. I think the record reflects he was
16	Q. Do you think parents of the	16	initially suspended for one day rather than being
17	students should have been contacted prior to	17	reprimanded. But with that on there
18	Mr. McDowell bridging such a topic in his	18	BY MS. MERSINO:
19	classroom?	19	Q. At some point later, did you
20	MR. HENLEY: Again, is this under	20	become familiar that Mr. McDowell had posted
21	policy or is this otherwise, just generally?	21	certain statements on his Facebook page?
22	MS. MERSINO: Both.	22	A. Yes.
23	THE WITNESS: My advice would be not	23	Q. And how did you become familiar
24	to address it.	24	with that?
25	BY MS. MERSINO:	25	A. I don't know, I think I might have
	Page 58	***************************************	Page 60
1	Q. And, again, he never came to you	1	just heard it from the superintendent,
2	prior to this?	2	possibly.
3	A. Not that I remember, not that I'm	3	Q. So the superintendent discovered
4	aware of.	4	that Mr. McDowell was posting information about
5	Q. Are you familiar with the school	5	what happened with Daniel Glowacki on his
6	district's policy regarding religious	6	Facebook page?
7	expression in the district?	7	MS. BARTOS: I'm going to object to
8	A. It's been awhile since I've	8	how you characterize that, but go ahead.
9	reviewed it.	9	THE WITNESS: I don't know. I don't
10	Q. Are you familiar that school	10	recall exactly how I heard about it. I heard
11	officials are called upon to intercede to stop	11	about it. I don't have a Facebook page that I
12	students' speech that constitutes harassment	12	deal with or go look around at. So I used one for
,			
i .	aimed at a student group or a group of	13	the school, and that's the only thing I used
13	aimed at a student group or a group of students?	13 14	the school, and that's the only thing I used Facebook was for, not to communicate anything. So
13 14	students?		Facebook was for, not to communicate anything. So
13 14 15	students? A. Uh-huh.	14	Facebook was for, not to communicate anything. So I don't have access to those things.
13 14 15 16	students? A. Uh-huh. Q. And is that a policy in place back	14 15	Facebook was for, not to communicate anything. So I don't have access to those things. BY MS. MERSINO:
13 14 15	students? A. Uh-huh. Q. And is that a policy in place back in 2010 in Howell?	14 15 16	Facebook was for, not to communicate anything. So I don't have access to those things.  BY MS. MERSINO:  Q. Do you remember if Mr. McDowell's
13 14 15 16 17 18	students?  A. Uh-huh.  Q. And is that a policy in place back in 2010 in Howell?  A. I believe so.	14 15 16 17	Facebook was for, not to communicate anything. So I don't have access to those things.  BY MS. MERSINO:  Q. Do you remember if Mr. McDowell's statement from his Facebook page was ever
13 14 15 16 17 18 19	students?  A. Uh-huh. Q. And is that a policy in place back in 2010 in Howell?  A. I believe so. Q. Now, going back to the	14 15 16 17 18	Facebook was for, not to communicate anything. So I don't have access to those things.  BY MS. MERSINO:  Q. Do you remember if Mr. McDowell's statement from his Facebook page was ever received by you?
13 14 15 16 17 18 19 20	students?  A. Uh-huh.  Q. And is that a policy in place back in 2010 in Howell?  A. I believe so.  Q. Now, going back to the investigation, on the 25th of October, it was	14 15 16 17 18 19	Facebook was for, not to communicate anything. So I don't have access to those things.  BY MS. MERSINO:  Q. Do you remember if Mr. McDowell's statement from his Facebook page was ever received by you?  A. I don't recall. I don't recall
13 14 15 16 17 18 19	students?  A. Uh-huh.  Q. And is that a policy in place back in 2010 in Howell?  A. I believe so.  Q. Now, going back to the investigation, on the 25th of October, it was deemed that Mr. McDowell should be reprimanded	14 15 16 17 18 19 20	Facebook was for, not to communicate anything. So I don't have access to those things.  BY MS. MERSINO:  Q. Do you remember if Mr. McDowell's statement from his Facebook page was ever received by you?  A. I don't recall. I don't recall ever seeing the
13 14 15 16 17 18 19 20	students?  A. Uh-huh.  Q. And is that a policy in place back in 2010 in Howell?  A. I believe so.  Q. Now, going back to the investigation, on the 25th of October, it was deemed that Mr. McDowell should be reprimanded for how he handled the situation with Daniel	14 15 16 17 18 19 20 21	Facebook was for, not to communicate anything. So I don't have access to those things.  BY MS. MERSINO:  Q. Do you remember if Mr. McDowell's statement from his Facebook page was ever received by you?  A. I don't recall. I don't recall ever seeing the  Q. What did
13 14 15 16 17 18 19 20 21 22	students?  A. Uh-huh.  Q. And is that a policy in place back in 2010 in Howell?  A. I believe so.  Q. Now, going back to the investigation, on the 25th of October, it was deemed that Mr. McDowell should be reprimanded	14 15 16 17 18 19 20 21 22	Facebook was for, not to communicate anything. So I don't have access to those things.  BY MS. MERSINO:  Q. Do you remember if Mr. McDowell's statement from his Facebook page was ever received by you?  A. I don't recall. I don't recall ever seeing the

	Page 61		Page 63
1	A. I don't know.	1	Mr. Wilson wanted to follow up on it.
2	Q. Did you ever talk to Mr. McDowell	2	Q. And it's an e-mail. It looks like
3	about it?	3	it's describing a phone call you had at 6:31
4	A. No.	4	p.m.
5	Q. Do you remember receiving a phone	5	A. Uh-huh.
6	call from Mrs. Glowacki? This would be on	6	Q. You followed up almost immediately
7	November 1st.	7	after at 7:35 p.m. on November 1st; is that
8	A. I received a few phone calls from	8	right?
9	her.	9	A. Yeah.
10	Q. Do you remember when Mrs. Glowacki	10	Q. And would this be right after you
11	called you at approximately 6:31 p.m. on	11	received the phone call from Mrs. Glowacki?
12	November 1st, and she was very upset?	12	A. Yeah yes.
13	A. Yeah, I said I don't recall the	13	Q. And this was correct as to your
14	specific time or date, I just know I had a few	14	memory of what occurred during that phone call?
15	conversations with her on the phone where she	15	A. Yes.
16	would call me.	16	Q. And you said that Daniel was taken
17	Q. And what happened during those	17	out of Mr. McDowell's class, correct?
18	phone conversations?	18	A. Correct.
19	A. She was unhappy the way her son	19	Q. Was that prior to November 1st?
20	was being portrayed.	20	A. Yes.
21	Q. And in what manner? What was she	21	Q. And can you describe how he was
22	referring to with her son being portrayed in a	22	taken out, why he was taken out?
23	certain way?	23	A. I believe the mother made a
24	A. Being portrayed in the media.	24	request, and we honored the request to move him
25	Q. And the school didn't go to the	25	to a different teacher.
	Page 62		Page 64
1	media, correct?	1	Q. And do you know why the request
2	A. I didn't go to the media. I don't	2	was made? Was there ever any statement by
3	know what others did or didn't do. I didn't go	3	Mrs. Glowacki?
4	to the media.	4	A. I believe there's a statement
5	Q. Do you remember Mrs. McDowell	5	somewhere requesting it, and we did.
6	[sic] ever making statements about how Mr	6	Q. And why did you honor the request
7	or I'm sorry. Do you remember Mrs. Glowacki	7	of Mrs. Glowacki?
8	ever making statements about how Mr. McDowell	8	A. That was the best interest of
9	was treating her son after the incident?	9	everyone, to honor the request.
10	A. No, I don't recall because we	10	Q. So Daniel Glowacki didn't have to
11	removed them from class. So I don't think they	11	go back into the classroom?
12	had I'm not aware of any other interactions,	12	A. Correct.
13	but	13	Q. Now, after the initial
14	(Thereupon, Plaintiffs' Exhibit	14	investigation meeting, was there a second
15	No. 28, one-page statement entitled Incident on	15	meeting that occurred?
16	10/20/10, by Jay McDowell, was marked for purposes	16	A. I don't know.
17	of identification.)	17	Q. Do you remember if there were
18	BY MS. MERSINO:	18	follow-up questions that you were asked to
19	Q. I'm handing you Exhibit 28. Do	19	voice to Mr. McDowell?
20	you recognize this?	20	A. Yeah. I don't know the time
21	A. Okay.	21	frame, but I was asked to follow up on it.
22	Q. Do you recognize Exhibit 28?	22	Q. Would it help to refresh your
23	A. Yeah.		recollection to review an e-mail?
24 25	<ul><li>Q. And how do you recognize it?</li><li>A. It's an e-mail that followed up</li></ul>	24	A. Yeah.
1 4.0	A. It's an e-man mai tonowed up	25	Q. After reviewing this, is your

	Page 69		Page 71
1	A. Yes.	1	Q. So were you privy to any of the
2	Q. Does the syllabus have to be	2	meetings where Mr. McDowell was challenging the
3	approved by the principal or an administrator	3	reprimand and the one day without pay?
4	before it's passed out to the class?	4	A. I was at the initial piece in
5	A. They are all turned in to me or	5	November, but I don't know about I don't
6	administration before or the beginning of the	6	know what else besides the end when I was aware
7	year.	7	that a settlement had been reached and a
8	Q. And then you would review the	8	written reprimand.
9	syllabus and approve its use?	9	Q. Were you ever contacted if you
10	A. Uh-huh.	10	agreed with the settlement?
11	Q. And you did that with	11	A. I don't believe so.
12	Mr. McDowell's syllabus?	12	Q. And were you aware that the
13	A. He handed it in or e-mailed it to	13	October 25th reprimand and one day unpaid
14	me, and I reviewed it.	14	
1		15	suspension are now removed from Mr. McDowell's
15	Q. What do you remember about the		personnel file?
16	class rules about homophobia in Mr. McDowell's	16	A. Yes.
17	class?	17	Q. I'm handing you what's already
18	A. I don't remember anything specific	18	been admitted as Exhibit 13. Is that the
19	about that. I remember about racism racism,	19	reprimand that you were talking about earlier?
20	bigotry, things like that would not be	20	A. Correct.
21	tolerated, which is one of our school code of	21	Q. And was that issued on the 25th
22	conducts as well.	22	of
23	Q. Do you remember anything about	23	A. Yes.
24	respecting a person's religion in	24	Q October of 2010?
25	Mr. McDowell's class rules?	25	A. Correct.
	Page 70		Page 72
1	A. No.	1	Q. And it says that that memo is to
2	Q. Would it help to review? I'm	2	Mr. McDowell from yourself?
3	handing you Exhibit 15.	3	A. And Sandra Moore.
4	MS. BARTOS: Off the record.	4	Q. Were you one of the people who
5	(Thereupon, an off-the-record	5	wrote this reprimand with Sandra Moore?
6	discussion was had.)	6	A. I was the I viewed it.
7	BY MS. MERSINO:	7	Q. Do you approve what's in the
8	Q. After reviewing Exhibit 15, does	8	reprimand on October 25th, 2010, Exhibit 13?
9	it refresh your memory?	9	A. Yeah yes.
10	A. I don't recall anything about	10	Q. If you want an opportunity to
11	freedom of religion in there. I didn't see it.	11	review the statements again do you adopt and
12	Q. And you are aware that some	12	agree with the statements in Exhibit 13?
13	religions have views that the correct	13	A. Yes.
14	orientation, I guess, of sex would be for a man	14	Q. And I think we discussed this. Do
15	to be with a female?	15	you remember receiving anything that was
16	A. Yes.	16	pertaining to Mr. McDowell's Facebook, like a
17	Q. And that some religions disapprove	17	statement that he wrote out on Facebook?
18	of the act of homosexual relations?	18	A. I don't know. I don't recall.
19	A. Yes.	19	Q. Do you remember receiving this
20	Q. Are you familiar with the Catholic	20	(indicating) via e-mail?
21	religion holding that view?	21	A. No.
22	A. Yes.	22	Q. So it could have been just
23	Q. Were you part of the settlement	23	verbally that you found out about Mr. McDowell
24	process?	24	posting items?
25	A. No.	25	A. Yeah, I don't that looks like a
20	A. INU.	1 20	A. I can, I dont that looks like a

	Page 73	and the state of t	Page 75
1	Facebook piece. I don't know.	1	Q. And what exactly was her role in
2	Q. Now, after everything occurred on	2	giving a presentation to the students? When
3	the 20th of October of 2010, who decided to	3	did it occur?
4	have Dr. Marcia McEvoy come back to the school	4	A. Ways they could help combat
5	to teach about antibullying?	. 5	bullying.
6	A. That was decided a long time ago.	. 6	Q. Was this during school hours?
7	Q. So that was in place prior to this	7	A. Yes.
8	event happening?	8	Q. And was it, like, a school-wide
9	A. Correct.	9.	assembly? Was it, like, a private meeting?
10	Q. Were you aware of the event that	10	A. I would say it was classified more
11	occurred on February 1st of 2011 in the	11	school-wide. We don't have a place that holds
1		12	
12	auditorium about antibullying?		everybody together. So we had different groups
13	A. If I recall correctly, it never	13	of students coming in, their English classes or
14	occurred on the it didn't occur on	14	something like that.
15	February 1st.	15	Q. Were all the students in the high
16	Q. It did not?	16	school at some point given the presentation?
17	A. It did not occur on February 1st.	17	A. I don't think it was all of them.
18	Q. Was the event cancelled?	18	I think it was it might have been ninth,
19	A. Correct. It was rescheduled.	19	tenth, eleventh grade students. I don't recall
20	Q. Rescheduled. And when did Marcia	20	all the specifics.
21	McEvoy come back to Howell?	21	Q. Do you recall what grade Daniel
22	A. It's a couple weeks or a month	22	Glowacki was in in 2010 and 2011, that school
23	later.	23	year?
24	Q. And what was the discussion that	24	A. It must have been eleventh grade.
25	Marcia McEvoy had when she came back?	25	Q. Was he given the presentation by
	Page 74	To the second se	Page 76
1	A. Just ways for ways to help	1	Dr. McEvoy?
2	prevent bullying, to address bullying.	2	A. I don't know. I assume so, but I
3	<ul> <li>Q. And what exactly was it that she</li> </ul>	3	don't know if he was present when it occurred
4	was discussing when she was talking about	4	or not.
5	bullying? Was it bullying certain groups of	5	<ul> <li>Q. Did you attend the presentation or</li> </ul>
6	students?	6	presentations?
7	A. No, just bullying, period.	7	A. Which one?
8	Q. And I'm wondering, why was this	8	Q. The one the presentation or
9	presentation given after October 20th of 2010?	9	presentations with the students.
10	A. Just her schedule.	10	A. I was in some of the student
11	Q. So it was always planned?	11	presentations.
12	A. Yeah, that was part of the part	12	Q. Were you in the presentation where
13	of the package is my understanding. My	13	Daniel Glowacki was present?
14	understanding, this was decided on I believe	14	A. I don't know if he was there or
15	it was decided on. Back then, we just couldn't	15	not. I couldn't I don't recall.
16	get her in until January. Because she came in	16	Q. Have you gone through the
17	with students in January, but that was the	17	different literature by Dr. McEvoy?
18	quickest we could get her in, I believe.	18	A. Uh-huh.
19	Q. Did she give a presentation two	19	Q. Are you aware that she says she
20	times that winter in 2011 to students?	20	brings up different examples of things to bring
21	A. To parents?	21	up with students?
1		22	A. Uh-huh.
2.2	O TO SUIGENIS and the community		
22	Q. To students and the community		
23	or	23	Q. Like calling another person gay?
1	•		